

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

S. TSUGE

Application Serial No.: 09/788,339

Filed: February 21, 2001

For: SOLAR CELL MODULE

Confirmation No.: 1063

Art Unit: 1753

Examiner: Alan D. Diamond

Atty. Docket No. 107336-00018

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the above-identified application, is a Terminal Disclaimer.

Please charge our Deposit Account No. 01-2300 in the amount of \$130.00 to cover the fee discussed above and **referencing our Docket No. 107336-00018**. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, **referencing docket number 107336-00018**.

12/15/2005 HALI11 00000095 012300 09788339
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Respectfully submitted,
ARENT FOX PLLC

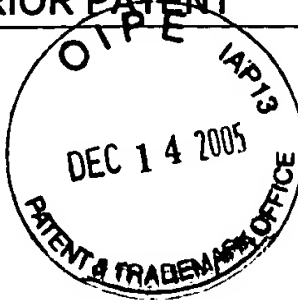
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Enclosure: Terminal Disclaimer

TECH/388641.1

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**Docket No. **107336-00018**Applicant/Patent Owner: **Sadaji TSUGE**Application No./Patent No.: **09/788,339**Filed/Issued Date: **February 21, 2001**Entitled: **SOLAR CELL MODULE**

The owner, Sanyo Electric Co., Ltd., of 100% percent interest in the instant application hereby by disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,818,819 and 6,667,434. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record. Registration No.: _____

Nagatoshi Sugihara

Signature

November 9, 2005

Date

NAGATOSHI SUGIHARA

Typed or printed name

Telephone Number

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- ☒ Terminal Disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP §324.

This collection of information is required by 37 CFR 1.321. The information is required to be obtained to retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission of Patent, P.O. Box 1450, Alexandria, VA 22313-1450.